

Not Approved

Minutes
State Board of Health Meeting
April 20, 2007
Radisson Hotel Historic Richmond
301 West Franklin Street, Richmond Virginia

Board Members Present: Dr. Jack Lanier, Chairman, Kandy Elliott, Jim Edmondson, Dr. Craig Reed, Ed Spearbeck, Fred Hannett, Dr. Bushan Pandya, Dr. Charles Johnson, Dr. Bennie Marshall, Dr. Julie Beales, Scott Burnette

Board Members Absent: Barbara Favola, David Summers

Staff Present: Dr. Robert Stroube, State Health Commissioner; Dr. Jim Burns, Deputy Commissioner for Public Health; Jeff Lake, Deputy Commissioner for Community Health Services; Joe Hilbert, Executive Advisor to the Commissioner; Martha Pulley, Policy Advisor to the Commissioner; Beth Franklin, Director, Office of Financial Management; Michael McMahon, Deputy Director, Office of Financial Management; Kelly Lobanov, Office of Communications; Julia Anderson, Office of Communications; Chris Durrer, Director, Office of Licensure and Certification; Erik Bodin, Director, Division of Certificate of Public Need; Robert Hicks, Director, Office of Environmental Health Services; Robert Mauskopf, Statewide Planning Coordinator, Emergency Preparedness and Response Programs; Dr. Carl Armstrong, Director, Office of Epidemiology; Dr. Susan Fischer-Davis, Deputy Director, Office of Epidemiology; Dr. David Suttle, Director, Office of Family Health Services; Nancy Bullock, Director, Children with Special Health Care Needs Program; Catherine West, Administrative Assistant; Robin Kurz, Attorney General's Office; Matt Cobb, Attorney General's Office

Call to Order

Dr. Lanier convened the meeting at 9:00 a.m.

Approval of Minutes

The minutes from the February 2007 Board meeting were approved unanimously.

Pending VDH Regulatory Actions

VDH staff reviewed with the Board a matrix summarizing all pending VDH regulatory actions. There was a brief discussion concerning whether VDH would continue to have input concerning biosolids, once responsibility for administering the program is transferred to the Department of Environmental Quality (DEQ) effective January 1, 2008. The legislation transferring the program to DEQ does state that VDH will continue to provide input, but VDH will not be ultimately responsible for administration of the program.

Chronic Disease Initiative Update

Joe Hilbert briefed the Board on the status of the State Health Commissioner's chronic disease prevention grants to local health districts. There was a discussion concerning outcome measures associated with grant-funded activities, the time frame within which quantifiable results were expected, and the applicability of interim measures vs. long term outcomes. There was a further discussion of how this grant program fits into the VDH strategic plan, VDH key objectives, and potential recommendations that may emerge from the Governor's Health Care Reform Commission.

Joe Hilbert also informed the Board concerning a National Governors Association childhood obesity prevention grant that VDH is applying for in partnership with the Department of Education.

Dr. Reed asked if the Commissioner's chronic disease grant funds were subject to audit reporting. Jeff Lake stated that because the funds are coming through VDH, the agency has to be accountable for audit purposes. Dr. Reed stated that it might be a good idea to seek a third party review in order to obtain external validation that VDH is doing a good job with the funds provided.

Budget Update

Michael McMahon briefed the Board on budget actions affecting VDH that occurred during the 2007 General Assembly Session. There was a brief discussion concerning funding for electronic health records.

Legislative Update

Joe Hilbert provided the Board with a final report on legislative activity from the 2007 General Assembly Session. There was a brief discussion of legislation to amend the Virginia Indoor Clean Air Act.

Commissioner's Report

Dr. Stroube briefed the Board concerning the hiring of Dr. Michael Royster as the VDH Director of Minority Health and Public Health Policy. This new position was established pursuant to the provisions of HB 3043, which was introduced at the request of the Governor and enacted by the 2007 General Assembly. The Board was also briefed concerning the establishment, per the Governor's direction, of the State Health Commissioner's Workgroup on Definition of "Restaurant." Dr. Stroube told the Board that he hopes the workgroup will complete its work, including the development of a recommended definition for the Governor, by mid-summer. Dr. Stroube also provided the Board with a description of VDH's actions taken in response to the shootings at Virginia Tech.

Certificate of Public Need (COPN) – Overview and Update

Chris Durrer provided the update to the Board. The subsequent brief discussion included the effect that revised dollar thresholds for COPN projects has had on staff workload, the applicability of COPN to nursing home projects, COPN requirements in other states, and the role of the regional health systems agencies in the COPN process.

Public Comment

The following individuals provided comments to the Board concerning the biosolids program: Janice Buckholz, Mary Carville, Judy Elliott, C.W. Williams, Susan Trumbo, and Hunter Richardson.

Final Regulation – State Plan for Children with Special Health Care Needs

Nancy Bullock presented this to the Board. The regulation was approved unanimously.

Emergency Preparedness and Response – Update

Bob Mauskopf provided the update to the Board, starting with a briefing on the VDH response to the shootings at Virginia Tech. He noted that the Regional Hospital Coordination system worked well. Only one hospital went on diversion, and then only temporarily.

Dr. Lanier stated that the Board recognizes the efforts of the State Health Commissioner and his staff in responding to the shootings at Virginia Tech.

Bob Mauskopf then briefed the Board concerning VDH's planning and preparedness efforts related to pandemic flu. The subsequent brief discussion included social distancing, distribution of anti viral medications, closing of schools, day care arrangements for health care workers, and VDH outreach to the business community. There was agreement that VDH needed to conduct more outreach to small businesses at the local level.

Final Amendments – Biosolids Use Regulation– Certification of Land Appliers

Bob Hicks presented this regulation to the Board. There was a brief discussion of what the certification process would entail, and whether the regulation would be transferred to DEQ effective January 1, 2008. The regulation will be transferred to DEQ.

The amendments were approved unanimously.

Final Amendments – Biosolids Use Regulation – Enforcement and Site Management

Bob Hicks presented these to the Board. There was a brief discussion of the cost impact of the regulation, the Department of Conservation and Recreation's responsibility for enforcing nutrient management plans, and enforcement options available to VDH.

Not Approved

There was further discussion concerning the period of time within which nutrient management plans would be required to be prepared pursuant to the amendments. Bob Hicks recommended a period of 90 days following issuance of the permit, which the Board agreed to. The amendments were approved unanimously.

Proposed Amendments – Biosolids Use Regulation – Permit Fees

These were presented by Bob Hicks. There was discussion of the fact that, under the proposed amendments, non-contiguous sites would require separate permits. There was also discussion concerning the ultimate impact of these fees on municipal wastewater treatment plants.

The amendments were approved unanimously.

Revised Final Amendments – Biosolids Use Regulation – Field Storage

These were presented by Bob Hicks and were approved unanimously.

Proposed Amendments – Biosolids Use Regulation – Access Control.

These were presented by Bob Hicks and were approved unanimously.

Member Reports

Dr. Bennie Marshall – She briefed the Board concerning state initiatives providing additional funding for nursing scholarships. She also discussed National Public Health Week and childhood obesity prevention efforts in elementary schools.

Fred Hannett – He offered to assist VDH in efforts to reach out to the business community concerning pandemic flu preparedness planning. He told the board that he can help VDH establish contacts with various trade associations. Mr. Hannett also discussed health information technology.

Ed Spearbeck – He told the Board that now is the time for the government to start advocating and promoting flu vaccinations. He said that VDH needs to get an early start in advance of the next flu season. Mr. Spearbeck explained to the Board that the past flu season was particularly mild.

Dr. Craig Reed – He briefed the Board concerning “One Medicine”, a collaborative between the veterinary medicine and human medicine communities. Dr. Reed told the Board that 60-70% of pathogens originate in animals.

The migration patterns of birds coming out of Asia and the southern flyways will reach its peak within the next 4 – 6 weeks.

Dr. Reed advised the Board that Virginia’s tick population is expected to increase over the next 60-90 days.

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In reference to the shootings at Virginia Tech, Dr. Reed asked if there were some way for the VDH Office of the Chief Medical Examiner to speed up the process of identifying human remains in future mass casualty incidents.

Dr. Charles Johnson – He told the Board that the Virginia Dental Association and the Old Dominion Dental Association are very concerned about the aging dental workforce. These organizations will be supporting a dental workforce study.

Dr. Bushan Pandya – He told the Board that he had nothing to report.

Jim Edmondson – He discussed issues concerning access to care, quality and safety of care, and COPN/State Medical Facilities Plan.

Kandy Elliott – She told the Board that she had nothing to report

Dr. Julie Beales – She discussed issues concerning electronic health records and school nutrition.

Dr. Jack Lanier – He briefed the Board concerning his work as a member of the Executive Board of the American Public Health Association. He discussed his involvement as a member of the interview panel to select the Director of the VDH Office of Minority Health and Public Health Policy, and his participation in a press conference (as a representative of the Governor) concerning the Governor's proposed amendments to HB2422 (Virginia Indoor Clean Air Act). He also told the Board that it may wish to think about different types of initiatives, other than chronic disease, to pursue in the future.

Dr. Lanier also read the report submitted by David Summers. Mr. Summers' report included a letter from the Virginia Health Care Alliance (i.e., Medical Society of Virginia, Virginia Health Information, Virginia Business Coalition on Health, Virginia Health Quality Center, Virginia Association of Health Plans, and the Virginia Hospital and Healthcare Association) to the Chairman of the Quality, Transparency and Prevention Workgroup of the Governor's Healthcare Reform Commission. The letter expresses support for value-driven health care, defined as consisting of the following four cornerstones:

- Public reporting of quality of care;
- Public reporting of the cost of health care services;
- Interoperable health information technology; and
- Incentives for achieving better value in health care.

The Virginia Health Care Alliance will apply for federal Community Leader status designation from the U.S. Secretary of Health and Human Services. Community Leader status reflects a determination by the Secretary that the organization is willing, capable and likely to succeed in implementing the four cornerstones.

Proposed Amendments – Radiation Protection Regulation – Fee Schedule

These were presented by Dr. Susan Fischer-Davis. There was extensive discussion concerning the methodology used by VDH to calculate the proposed fees, and the need for transparency in how the proposed fee levels were established. There was also discussion concerning the fact that proposed amendments had been previously shared with the Radiation Advisory Board.

Dr. Stroube suggested that the proposed amendments be brought back before the Board at the July meeting, along with documentation describing the methodology for calculating the proposed fees.

The Board agreed unanimously to direct VDH to bring the proposed amendments back before the Board at the July meeting, along with documentation describing the methodology for calculating the proposed fees.

Nominating Committee Report

Kandy Elliott, Chair of the Nominating Committee, presented the Board with the Committee's following recommendations:

Board Chair – Dr. Jack Lanier

Board Vice Chair – Fred Hannett

Member, Board Executive Committee – Kandy Elliott

Member, Board Executive Committee – Jim Edmondson

The Board unanimously approved the Nominating Committee's recommendations.

Other Business

Joe Hilbert briefed the Board on initial plans for the July Board meeting, to be held in Arlington. Jim Edmondson suggested that the planned site visits include a focus on the non-English speaking population. Ed Spearbeck suggested that the site visits include a focus on collaboration within the National Capital Region. Dr. Lanier told the Board that VDH staff would prepare a set of learning objectives and expected outcomes for the site visits in Arlington.

There was a brief discussion concerning other localities that the Board could visit in the future. Dr. Reed requested that the Board visit the State Emergency Operations Center, located in Chesterfield County.

Dr. Beales suggested that in the future the Board could focus on issues of inter-agency collaboration, perhaps with an emphasis on electronic health records.

Adjourn

The meeting adjourned at approximately 3:30 p.m.